

Message Text

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ORIGIN EB-08

INFO OCT-01 IO-13 AF-10 ARA-10 EA-10 EUR-12 NEA-11
ISO-00 SIG-03 AGRE-00 CEA-01 CIAE-00 COME-00
DODE-00 FRB-03 H-01 INR-10 INT-05 L-03 LAB-04
NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15 STR-07
ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01 DOE-15
OIC-02 /172 R

DRAFTED BY EB/OT/GCP:DFINNERTY/ILAB/OFEP:WNOELLERT
APPROVED BY EB/OT/JSLATTERY
S/IL:HPOLLACK
S/IL:DGOOD (SUBS)
AF/I:LSLEZAK
EA/RA:DHARRIS
EUR/EX:DGOOT
NEA/RA:DMORAN
ARA/RPP:JO'GRADY
EUR/RPE:PMC CLEAN
CEA:PCLARK
TREASURY:EBARBER
STR:PHEISE
COMMERCE:ROLIVER
NSC:GERB

-----018732 311122Z /15

R 302201Z MAY 78
FM SECSTATE WASHDC
TO AMCONSUL HONG KONG
AMEMBASSY TAIPEI
AMEMBASSY SEOUL
AMEMBASSY SINGAPORE
AMEMBASSY BANGKOK
AMEMBASSY MANILA
AMEMBASSY JAKARTA
AMEMBASSY KUALA LUMPUR
AMEMBASSY BRASILIA
AMEMBASSY MEXICO
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AMEMBASSY BUENOS AIRES
AMEMBASSY BOGOTA
AMEMBASSY SAN JOSE
AMEMBASSY GUATEMALA
AMEMBASSY PORT AU PRINCE
AMEMBASSY PORT OF SPAIN
AMEMBASSY SANTIAGO

AMEMBASSY SAN SALVADOR
AMEMBASSY CARACAS
AMEMBASSY MANAGUA
AMEMBASSY LIMA
AMEMBASSY TEGUCIGALPA
AMEMBASSY QUITO
AMEMBASSY KINGSTON
AMEMBASSY SANTO DOMINGO
AMEMBASSY DAKAR
AMEMBASSY ABIDJAN
AMEMBASSY NAIROBI
AMEMBASSY DAR ES SALAAM
AMEMBASSY PORT LOUIS
AMEMBASSY ANTANANARIVO
AMEMBASSY LAGOS
AMEMBASSY CAIRO
AMEMBASSY DACCA
AMEMBASSY NEW DELHI
AMEMBASSY TUNIS
AMEMBASSY TEHRAN
AMEMBASSY RABAT
AMEMBASSY ALGIERS
AMEMBASSY DAMASCUS
AMEMBASSY AMMAN
AMEMBASSY ANKARA
AMEMBASSY COLOMBO
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AMEMBASSY ISLAMABAD
AMEMBASSY TEL AVIV
AMEMBASSY BELGRADE
AMEMBASSY WARSAW
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMEMBASSY PRAGUE
AMEMBASSY VIENNA
AMEMBASSY ATHENS
AMEMBASSY PRETORIA
AMCONSUL JOHANNESBURG
AMCONSUL CASABLANCA
AMEMBASSY KUWAIT
AMEMBASSY MANAMA
INFO ALL OECD CAPITALS
USMISSION GENEVA

C O N F I D E N T I A L STATE 136706

USMTN

E.O. 11652:N/A

TAGS: ETRD

SUBJECT: REQUEST FOR INFORMATION ON LABOR STANDARDS

1. SUMMARY:

WORK CURRENTLY TAKING PLACE IN USG ON WORLDWIDE LABOR STANDARDS AND THEIR POSSIBLE DISTORTING EFFECTS ON INTERNATIONAL TRADE. PURPOSE OF THIS CABLE IS SIMPLY TO GATHER INFORMATION WHERE IT IS NOT CURRENTLY AVAILABLE WITHIN USG, AND POSTS SHOULD USE GREAT CARE IN HANDLING ISSUE, ESPECIALLY WITH LOCAL CONTACTS. END SUMMARY.

2. AN INTERAGENCY TASK FORCE ON LABOR STANDARDS AND TRADE
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DISTORTION HAS BEEN FORMED WITH THE OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS AS COORDINATOR. THE PURPOSE OF THE TASK FORCE IS TO EXAMINE IN SOME DEPTH LABOR STANDARDS OF SPECIFIC COUNTRIES, AND DETERMINE IF DIFFERENCES IN STANDARDS BETWEEN COUNTRIES HAVE A DISRUPTIVE OR DISTORTING EFFECT ON INTERNATIONAL TRADE. USG CONCERN IS THAT SOME COUNTRIES, IN ORDER TO GAIN INTERNATIONAL COMPETITIVE ADVANTAGE FOR EXPORT OR, TO LOWER PRODUCTION COSTS OF GOVERNMENT-SPONSORED IMPORT SUBSTITUTING INDUSTRIES, MAY EITHER IGNORE THE PROBLEM OF LABOR CONDITIONS ENTIRELY, OR, IN LAW OR PRACTICE, APPLY DOMESTIC STANDARDS DIFFERENTIALLY TO FAVOR EXPORT OR IMPORT SUBSTITUTING PRODUCTION. FYI: SECTION 121(A) OF THE TRADE ACT OF 1974 DIRECTS THE PRESIDENT TO "... TAKE SUCH ACTION AS MAY BE NECESSARY TO BRING TRADE AGREEMENTS HERETOFORE ENTERED INTO, AND THE APPLICATION THEREOF, INTO CONFORMITY WITH PRINCIPLES PROMOTING THE DEVELOPMENT OF AN OPEN, NONDISCRIMINATORY, AND FAIR WORLD ECONOMIC SYSTEM." ONE OF THE PRINCIPLES REFERRED TO IS "... THE ADOPTION OF INTERNATIONAL FAIR LABOR STANDARDS AND OF PUBLIC PETITION AND CONFRONTATION PROCEDURES IN THE GATT..." ADDRESSES HAVE BEEN SELECTED BECAUSE OF LACK OF INFORMATION IN USG ON LABOR STANDARDS IN COUNTRY AND BECAUSE THEY HAVE A) INDUSTRIAL EXPORTS (SITC CATEGORIES 5-8) TO THE REST OF THE WORLD EXCEEDING 20 MILLION DOLLARS; B) GATT MEMBERSHIP, OR C) ACTIVE PARTICIPATION IN THE MULTILATERAL TRADE NEGOTIATIONS.

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3. ACTION REQUESTED: REQUEST POST PROVIDE INFORMATION ON FOLLOWING LABOR STANDARDS:

A) LAW AND/OR PRACTICE CONCERNING SLAVE, INDENTURED, OR OTHER FORCED LABOR IN EXPORT OR IMPORT SUBSTITUTING
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PRODUCTION;

B) LAW AND/OR PRACTICE REGARDING CHILD LABOR; STANDARDS ESTABLISHING AND/OR REGULATING MINIMUM AGES FOR INDUSTRIAL EMPLOYMENT; -

C) LAW AND/OR PRACTICE REGULATING SAFETY AT THE WORK PLACE WITH SPECIFIC REFERENCE TO WORKER EXPOSURE TO TOXIC SUBSTANCES, I.E., ASBESTOS, BENZENE, LEAD, SILICA, TRICHLORETHYLENE, AND COTTON DUST.

D) LAW AND/OR PRACTICE THAT APPLIES DIFFERENTIAL LABOR REGULATIONS OR STANDARDS TO: A) FREE TRADE ZONES, B) INDUSTRIAL EXPORT INDUSTRIES OR TARGET IMPORT SUBSTITUTION INDUSTRIES; C) FOREIGN MANUFACTURING INVESTMENT IN THE HOST COUNTRY, WHETHER OF US OR THIRD COUNTRY ORIGIN, WHERE MOST OR ALL OF THE OUTPUT IS EXPORTED. DIFFERENTIAL LABOR STANDARDS OF INTEREST IN THIS REGARD SHOULD BE LIMITED TO: LEGAL OR DE FACTO GOVERNMENT BANS ON UNIONS, COLLECTIVE BARGAINING, OR STRIKES; GOVERNMENT CONTROLLED OR ARTIFICIALLY DEPRESSED WAGE LEVELS.

4. IF THE LABOR PRACTICES ABOVE APPLY TO THE ENTIRE ECONOMY RATHER THAN JUST EXPORT AND IMPORT SUBSTITUTING SECTORS, POSTS SHOULD SO INDICATE.

5. INFORMATION SHOULD BE AS DETAILED AS POSSIBLE INCLUDING DATA AND QUANTITATIVE ANALYSIS IF RESOURCES PERMIT.

SPECIFIC REFERENCE SHOULD BE MADE TO EXISTING LAWS OR CODES AS WELL AS AN EVALUATION OF HOW WELL LAW IS ENFORCED. NONGOVERNMENTAL AND GOVERNMENT SOURCES SHOULD BE USED BUT BECAUSE WE DO NOT AT THIS TIME WISH TO CONVEY STRONG POINT OF VIEW, POSTS SHOULD NOT INDICATE THE PURPOSE OF INQUIRIES MADE TO EITHER GOVERNMENT OR NONGOVERNMENTAL SOURCES. REPORTING SHOULD EXCLUDE THE SERVICES, AGRICULTURE, HANDICRAFT, AND COTTAGE INDUSTRIES SECTORS.

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TURAL, HANDICRAFT, AND COTTAGE INDUSTRIES SECTORS.

5. DEPARTMENT REALIZES BURDEN THIS REPORTING REQUIREMENT MAY PLACE ON LIMITED PERSONNEL RESOURCES AND OTHER POST PRIORITIES. IT IS BELIEVED MUCH OF INFO REQUESTED IS ALREADY KNOWN TO PERSONNEL AT POST OR READILY AVAILABLE. ACCORDINGLY, POSTS SHOULD EXERCISE APPROPRIATE DISCRETION

IN PREPARING REPLIES. WE DO NOT, FOR EXAMPLE, EXPECT
EXTENSIVE FIELD TRIPS OR FIRST HAND INVESTIGATION UNLESS
OTHER PRIORITIES PERMIT. IF INFORMATION HAS ALREADY BEEN
REPORTED WITHIN LAST YEAR, EITHER BY CABLE OR AIRGRAM,
PLEASE PROVIDE REFERENCES.

6. POST REQUESTED TO RESPOND BY JULY 1 TO THE EXTENT
POSSIBLE. VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR, STANDARDS, INFORMATION EXCHANGE
Control Number: n/a
Copy: SINGLE
Draft Date: 30 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE136706
Document Source: CORE
Document Unique ID: 00
Drafter: DFINNERTY/ILAB/OFEP:WNOELLERT
Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780227-0191
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978056/aaaaafap.tel
Line Count: 232
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f7961c9f-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 19 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2694550
Secure: OPEN
Status: NATIVE
Subject: REQUEST FOR INFORMATION ON LABOR STANDARDS
TAGS: ETRD, HK, US, XX
To: HONG KONG TAIPEI MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f7961c9f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
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